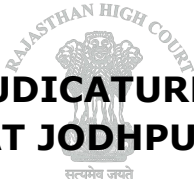


**HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JODHPUR**



S.B. Civil Writ Petition No. 14122/2026
CNR: RJHC010641552026 | URN: CW / 25771U / 2026

Kanta W/o Shri Vishnu Bhobhria, Aged About 28 Years, R/o 319,
Homeland City First, District Sri Ganganagar, Rajasthan.

-----Petitioner

Versus

1. Vimla W/o Shri Balram, R/o 319, Homeland City First,
District Sri Ganganagar, Rajasthan.
2. Balram S/o Srhi Bagmal, R/o 319, Homeland City First,
District Sri Ganganagar, Rajasthan.
3. Vishnu Bhobhria S/o Shri Balra, R/o 319, Homeland City
First, District Sri Ganganagar, Rajasthan.

-----Respondents

For Petitioner(s)	:	Mr. Abhay Kumar
For Respondent(s)	:	Mr. Trilok Joshi

HON'BLE MR. JUSTICE ANOOP KUMAR DHAND

Order

03/08/2026

1. By way of filing the present petition, a challenge has been led to impugned order dated 09.06.2026, passed by the Sub-Divisional Magistrate, Sri Ganganagar, whereby the application filed by the respondent No.1 and 2 under Sections 4, 5, 21 and 23 of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 (for short, "the Act of 2007") has been allowed and the petitioner has been directed to pay monthly maintenance of Rs.5,000/- to the respondent Nos.1 and 2. Aggrieved by the aforesaid order, the petitioner has approached this Court by way of the present writ petition.

2. In the considered opinion of this Court, the impugned order dated 09.06.2026 passed by the Sub-Divisional Magistrate is appealable under Section 16 of the Act of 2007 before the District Collector.

3. In the light of the orders/directions issued by this Court at Jaipur Bench in **Maya Devi v. Vishweshwar Dayal & Another** in **S.B. Civil Writ Petition No. 11941/2021** on 01.05.2023, the instant writ petition is found to be non-maintainable. The Court in Maya Devi (supra) has held that the remedy of an appeal under Section 16 of the Act of 2007 is available to all aggrieved persons including their children & other relatives. Hence, in view of the availability of the alternate statutory remedy the instant writ petition is not maintainable.

4. Accordingly, the present writ petition is disposed of with liberty to the petitioner to avail the statutory remedy of appeal under Section 16 of the Act of 2007 before the concerned District Collector.

5. It is made clear that if the petitioner prefers the appeal within a period of 15 days from the date of receipt of a certified copy of this order, the concerned District Collector shall consider and decide the appeal on its own merits, after affording an opportunity of hearing to all concerned parties, in accordance with law, without rejecting the appeal on the ground of limitation.

(ANOOP KUMAR DHAND),J